

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 307.12, 307A.2 and 321.457(2)“n” and chapter 321E, the Iowa Department of Transportation hereby gives Notice of Intended Action to amend Chapter 511, “Special Permits for Operation and Movement of Vehicles and Loads of Excess Size and Weight,” and to rescind Chapter 513, “Compacted Rubbish Vehicle Permits,” Iowa Administrative Code.

The Department is proposing to amend Chapter 511 and to rescind Chapter 513. The necessary rules concerning compacted rubbish vehicle permits are being moved to Chapter 511. The proposed amendments to Chapter 511 add and amend definitions; correct an office name, telephone numbers and Web site addresses; update Iowa Code and Iowa Administrative Code citations; eliminate rule language that is duplicative of the Iowa Code; and bring the rules up to date with current Iowa Code language and Department practices.

The proposed amendments also:

- Add an exemption to subrule 511.3(2) for oversize snow removal equipment so that the equipment may be used when the roads are not clear of ice or snow and when visibility is poor.
- Update the methods used to issue and obtain permits to allow for an electronic format.
- Increase the height limit for continuous movement to 14 feet 6 inches to promote interstate commerce and implement internal consistency with the Department’s revised escort rule.
- Update the height and length requirements for vehicles traveling under an annual or all-systems permit with divisible loads of hay, straw or stover to comply with Iowa Code section 321E.29.
- Change the height limit for vehicles traveling under a multitrip permit with indivisible loads to 15 feet, 5 inches to be consistent with other annual permits.
- Remove the specific width and length requirements for vehicles traveling under a single-trip permit with indivisible loads and allow movement if the roadway and infrastructure support the vehicle.
- Increase the permit fees to coincide with changes made in Iowa Code section 321E.14.
- Allow for fees and costs to be paid by credit card. Eliminate inconsistent and outdated language concerning pertinent charge accounts.
- Allow for proof of liability insurance to be either written or electronic.
- Add language concerning the use of the vertical clearance map and road construction and travel restrictions map and detour and road embargo information within annual permit and all-systems permit rules.
- Change “construction machinery” to “special mobile equipment” to align with changes to Iowa Code chapter 321E.
- Clarify that a multitrip permit is for unlimited trips along a specific route between one point of origin and destination. Additional routes require a new permit.
- Update language concerning single-trip permits since the Department issues only one type of single-trip permit and the permit covers every type of indivisible load.
- Add a new rule concerning compacted rubbish vehicle permits and include the term “compacted rubbish” where applicable within the chapter.
- Make changes to the escort qualifications and responsibilities as follows: clarify that the escorting vehicle shall not be used to tow a trailer while performing escorting duties, remove the candlepower requirements, reduce the minimum visible distance to 500 feet due to new LED technology and Mid America Association of State Transportation Officials’ requirements, and replace the table concerning minimum warning devices and escort requirements with a new table for clarity. The references to “sufficient shoulders” and the need for carriers to determine the roadway width have been omitted from the new table, and the new table provides simple two-lane and four-lane road requirements.

- Add a new rule to provide for economic export corridors for the transportation of goods or products manufactured in Iowa to or through South Dakota and for the return of unladen semitrailers or unladen full trailers used for the transportation of those goods or products to comply with Iowa Code section 321.457(2)“n.”

These rules do not provide for waivers. Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Any person or agency may submit written comments concerning these proposed amendments or may submit a written request to make an oral presentation. The comments or request shall:

1. Include the name, address, and telephone number of the person or agency authoring the comments or request.

2. Reference the number and title of the proposed rule, as given in this Notice, that is the subject of the comments or request.

3. Indicate the general content of a requested oral presentation.

4. Be addressed to Tracy George, Rules Administrator, Iowa Department of Transportation, Operations and Finance Division, 800 Lincoln Way, Ames, Iowa 50010; e-mail: tracy.george@iowadot.us.

5. Be received by the Department’s rules administrator no later than May 30, 2017.

A meeting to hear requested oral presentations is scheduled for Thursday, June 1, 2017, at 10 a.m. at the Iowa Department of Transportation’s Motor Vehicle Division offices located at 6310 SE Convenience Boulevard, Ankeny, Iowa.

The meeting will be canceled without further notice if no oral presentation is requested.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 321.457(2) and 321.473 and chapter 321E.

The following amendments are proposed.

ITEM 1. Adopt the following **new** definitions of “Compacted rubbish vehicle,” “Indivisible load,” and “Rubbish” in rule **761—511.1(321E)**:

“*Compacted rubbish vehicle*” means any vehicle hauling rubbish that has been mechanically compacted with a hydraulic, electric, or air-operated ram.

“*Indivisible load*” means any load or vehicle exceeding applicable length or weight limits which, if separated into smaller loads or vehicles, would:

1. Compromise the intended use of the vehicle, i.e., make it unable to perform the function for which it was intended;

2. Destroy the value of the load or vehicle, i.e., make it unusable for its intended purpose; or

3. Require more than eight work hours to dismantle using appropriate equipment. The applicant for an indivisible load permit has the burden of proof as to the number of work hours required to dismantle the load.

“*Rubbish*” means any unwanted or useless material that has no commercial or practical value or use and that would normally be discarded.

ITEM 2. Rescind the definition of “Sufficient shoulder width” in rule **761—511.1(321E)**.

ITEM 3. Amend rule **761—511.1(321E)**, definition of “Permit-issuing authority,” as follows:

“*Permit-issuing authority*” means the:

1. Department’s office of vehicle and motor carrier services for permits for movement on the primary road system.

2. Authority responsible for the maintenance of a nonprimary system of highways or streets for permits for movement on that system. However, the office of vehicle and motor carrier services may issue single-trip permits on primary road extensions in cities in conjunction with movement on the rural primary road system.

ITEM 4. Amend rule **761—511.1(321E)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321E.9, 321E.15, ~~321E.27~~, 321E.29, 321E.30 and 321E.34.

ITEM 5. Amend rule 761—511.2(321E) as follows:

761—511.2(321E) Location and general information.

511.2(1) Applications, forms, instructions and restrictions are available on the department's Web site at www.iowadot.gov and by mail from the Office of Vehicle and Motor Carrier Services, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at (515)237-3264; or by facsimile at (515)237-3257. Permits may be obtained electronically upon making application to the office of vehicle and motor carrier services.

511.2(2) and **511.2(3)** No change.

511.2(4) Except as provided in subrule 511.7(6) and rule ~~511.13~~ 761—511.14(321,321E), permits may be issued only for the transporting of a single article which exceeds statutory size or weight limits or both, and which cannot reasonably be divided or reduced to statutory size and weight limits. However, permits may be issued for the transporting of property consisting of more than one article when:

a. to c. No change.

511.2(5) and **511.2(6)** No change.

This rule is intended to implement Iowa Code sections 17A.3 and ~~321E.1~~ 321E.2.

ITEM 6. Amend rule 761—511.3(321E) as follows:

761—511.3(321E) Movement under permit.

511.3(1) No change.

511.3(2) Movement shall be made only when roads are clear of ice and snow and visibility is at least one-quarter mile. Snow removal equipment operating under permit is exempt from this restriction while snow removal operations are conducted. EXCEPTION: Nothing in this subrule shall be construed to mean that the movement of a compacted rubbish vehicle permitted under rule 761—511.11(321E) shall be subject to this restriction.

511.3(3) and **511.3(4)** No change.

~~**511.3(5)** The permit shall be carried in the cab of the vehicle for which it has been issued and shall be available for inspection at all times.~~

~~**511.3(6)** Vehicles and loads under permit shall be open to inspection by any peace officer or any authorized agent of any permit issuing authority.~~

511.3(7) **511.3(5)** Continuous moves. Vehicles and loads may travel by permit between one-half hour after sunset and one-half hour before sunrise if, in addition to the general provisions and general requirements specified by the permit, the following conditions are met.

a. Dimensions shall not exceed:

(1) No change.

(2) Height. 14 feet, 4 6 inches.

(3) and (4) No change.

b. and c. No change.

This rule is intended to implement Iowa Code sections ~~321E.1~~ 321E.2 and 321E.11.

ITEM 7. Amend rule 761—511.4(321E) as follows:

761—511.4(321E) Permits. Permits issued shall be in writing or in electronic format and may be either single-trip, multitrip, annual, annual oversize/overweight, compacted rubbish or all-systems permits.

511.4(1) *Methods of issuance.*

a. Permits for movement on the primary road system may be obtained in person, by facsimile, ~~wire service, electronic communication,~~ online, or by mail at the address in subrule 511.2(1).

b. No change.

511.4(2) Forms.

a. Applications for permits for movement on the primary road system shall be made ~~and permits shall be issued on departmental Forms 442009, 442047, 442051, 442058 and 442059~~ online or on a form prescribed by the department.

b. Any applications to other permit-issuing authorities made upon ~~Forms 442009, 442047, 442051, 442058 and 442059~~ department forms shall be sufficient and accepted as properly made by these authorities.

c. No change.

511.4(3) Validity.

a. Annual, annual oversize/overweight, compacted rubbish, and all-systems permits shall expire ~~on the last day of the month~~ one year from the date of issuance.

b. and c. No change.

511.4(4) No change.

This rule is intended to implement Iowa Code sections ~~321E.1 and 321E.2~~ and 321E.3.

ITEM 8. Amend rule 761—511.5(321,321E) as follows:

761—511.5(321,321E) Fees and charges.

511.5(1) Annual oversize permit. A fee of ~~\$25~~ \$50 shall be charged for each annual permit issued pursuant to Iowa Code section 321E.8, payable prior to the issuance of the permit. Carriers purchasing annual permits in advance of use cannot return unused permits for refunds.

511.5(2) Annual oversize permit for certain divisible loads. A fee of \$25 shall be charged for each annual permit issued pursuant to Iowa Code section 321E.29, payable prior to the issuance of the permit. Only divisible loads of hay, straw, stover, or bagged livestock bedding are permitted under this permit.

~~511.5(2)~~ **511.5(3) Annual oversize/overweight permit.** A fee of ~~\$300~~ \$400 shall be charged for each annual oversize/overweight permit, payable prior to the issuance of the permit. Transfer of current annual oversize/overweight permit to a replacement vehicle may be allowed when the original vehicle has been damaged in an accident, junked or sold.

~~511.5(3)~~ **511.5(4) All-systems permit.** A fee of ~~\$120~~ \$160 shall be charged for each annual all-systems permit, payable prior to the issuance of the permit.

511.5(5) Bridge-exempt permit. A fee of \$25 shall be charged for each bridge-exempt permit issued pursuant to Iowa Code section 321E.7, payable prior to the issuance of the permit.

~~511.5(4)~~ **511.5(6) Multitrip permit.** A fee of \$200 shall be charged for each multitrip permit, payable prior to the issuance of the permit. ~~Additional routes will require a new permit.~~

511.5(7) Raw milk permit. A fee of \$25 shall be charged for each raw milk permit issued pursuant to Iowa Code section 321E.29A, payable prior to the issuance of the permit.

~~511.5(5)~~ **511.5(8) Single-trip permit.** A fee of ~~\$10~~ \$35 shall be charged for each single-trip permit, payable prior to the issuance of the permit.

511.5(9) Compacted rubbish permit. A fee of \$100 shall be charged for each compacted rubbish permit, payable prior to the issuance of the permit.

~~511.5(6)~~ **511.5(10) Duplicate permit.** A fee of \$2 shall be charged for each duplicate permit, payable prior to the issuance of the permit.

~~511.5(7)~~ **511.5(11) Registration fee.** A registration fee shall be charged for vehicles transporting buildings, except mobile homes and factory-built structures, on a single-trip basis. The vehicle shall be registered for the combined gross weight of the vehicle and load. The fee shall be 5 cents per ton exceeding the weight registered under Iowa Code section 321.122 per mile of travel and shall be payable prior to the issuance of the permit. Fees shall not be prorated for fractions of miles.

~~511.5(8)~~ **511.5(12) Fair and reasonable costs.** Permit-issuing authorities may charge any permit applicant:

a. and b. No change.

~~511.5(9)~~ **511.5(13) Methods of payment.**

~~a.~~ Fees and costs required under this chapter of rules shall normally be paid by credit card, certified check, cashier's check, traveler's check, bank draft or cash. Personal checks may be accepted at the discretion of the permit-issuing authority.

~~b.~~ At the discretion of the permit-issuing authority, a payment procedure may be established to allow monthly billing for permits. The following procedures shall apply:

(1) Applicants shall deposit sufficient funds with the permit-issuing authority to guarantee payment of fees for the average number of permits ordered monthly. Deposits may be used to pay outstanding fees due when payment is not received upon billing.

(2) Monthly billings shall be sent to account holders.

(3) All future permit activity may be suspended after written notice of suspension to the account holder when the following requirements are not met:

Payment shall be received within 30 days from the date of the billing.

All information listed on the account holder's permit shall match the information listed on the permit-issuing authority's permit.

(4) Account privileges may be permanently canceled after written notice to the account holder when the requirements listed in paragraph 511.5(9) "b" are not met.

(5) Any account holder in good standing may close the account and request return of the deposit. Accounts closed under these circumstances may be reopened.

This rule is intended to implement Iowa Code sections 321.12, 321.122, 321E.14, 321E.29, and 321E.29A and 321E.30.

ITEM 9. Amend paragraph **511.6(1)"a"** as follows:

a. Public liability insurance in the amounts of \$100,000 bodily injury each person, \$200,000 bodily injury each occurrence, and \$50,000 property damage with an expiration date to cover the tenure of the annual, annual oversize/overweight, all-systems, multitrip or single-trip permit shall be required. In lieu of filing with the permit-issuing authority, a copy of the current certificate of public liability insurance in these amounts shall be carried in the vehicle for which the permit has been issued. Proof of liability insurance may be either in writing or in electronic format.

ITEM 10. Amend rule 761—511.7(321,321E) as follows:

761—511.7(321,321E) Annual permits. Annual permits are issued for indivisible vehicles or indivisible loads for travel when the dimensions of the vehicle or load exceed statutory limits but the weight is within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The owner or operator shall select a route using the vertical clearance map and road construction and travel restrictions map provided by the department. Detour and road embargo information may also be found online at: www.511ia.org. Prior to making the move, the owner or operator shall contact the department by telephone at (515)237-3264 between 8 a.m. and 4:30 p.m., Monday through Friday, except for legal holidays, to verify that the owner or operator is using the most recent information. Annual permits are issued for the following:

511.7(1) Vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. *Weight.* See rule ~~511.12~~ 761—511.13(321,321E).

e. *Distance.* Movement is allowed for unlimited distance; routing through the office of vehicle and motor carrier services is not required.

511.7(2) Vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. *Weight.* See rule ~~511.12~~ 761—511.13(321,321E).

e. *Distance.* Movement is restricted to 50 miles unless trip routes are obtained from the office of vehicle and motor carrier services or the route continues on at least four-lane roads. Trip routes are valid for five days.

511.7(3) Vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

- a. to c. No change.
- d. *Weight*. See rule ~~761—511.12~~ 511.13(321,321E).
- e. *Distance*. Trip routes must be obtained from the office of vehicle and motor carrier services.

511.7(4) No change.

511.7(5) Truck trailers manufactured or assembled in the state of Iowa provided the following are met:

- a. to c. No change.
- d. *Weight*. See rule ~~511.12~~ 761—511.13(321,321E).
- e. to g. No change.

511.7(6) Vehicles with divisible loads of hay, straw ~~or~~ stover, or bagged livestock bedding provided the following are not exceeded:

- a. No change.
- b. *Length*. ~~Must comply with Iowa Code section 321.457~~ Statutory: 75 feet.
- c. *Height*. Statutory: ~~13~~ 14 feet 6 inches.
- d. *Weight*. See rule ~~511.12~~ 761—511.13(321,321E).
- e. No change.

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, ~~321E.1, 321E.2, 321E.3, 321E.8, 321E.10, 321E.28, 321E.29 and 321E.29A and Iowa Code Supplement section 321E.8 as amended by 2002 Iowa Acts, Senate File 2192, section 36.~~

ITEM 11. Amend subrule 511.8(1) as follows:

511.8(1) Vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

- a. to c. No change.
- d. *Weight*. See rule ~~511.12~~ 761—511.13(321,321E).
- e. *Routing*. The owner or operator shall select a route using a vertical clearance map, kip map, bridge embargo map and detour and road embargo map provided by the department. Detour and road embargo information may also be found ~~on the Internet online at www.511ia.com~~ www.511ia.org. The owner or operator shall contact the department by telephone at ~~1-800-925-6469 (515)237-3264~~ between 8 a.m. and 4:30 p.m., Monday through ~~Thursday~~ Friday, except for legal holidays, ~~or at any other time at (515)237-3206~~ prior to making the move to verify that the owner or operator is using the most recent information.

ITEM 12. Amend rule ~~761—511.8(321,321E)~~, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, ~~321E.1, 321E.2, 321E.3, 321E.28 and Iowa Code Supplement section 321E.8 as amended by 2002 Iowa Acts, Senate File 2192, section 36.~~

ITEM 13. Amend rule ~~761—511.9(321,321E)~~ as follows:

761—511.9(321,321E) All-systems permits. All-systems permits are issued by the office of vehicle and motor carrier services for indivisible vehicles or indivisible loads for travel on the primary road system and specified city streets and county roads when the dimensions of the vehicle or load exceed statutory limits but the weight is within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The office of vehicle and motor carrier services will provide a list of the authorized city streets and county roads. Permit holders shall consult with local officials when traveling on county roads or city streets for bridge embargo, vertical clearance, detour, and road construction information. These permits are issued for the following:

511.9(1) Vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

- a. to c. No change.
- d. *Weight*. See rule ~~511.12~~ 761—511.13(321,321E).

e. Distance. Movement is allowed for unlimited distance; routing through the office of vehicle and motor carrier services and city and county jurisdictions is not required.

511.9(2) Vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~511.12~~ 761—511.13(321,321E).

e. Distance. Movement is restricted to 50 miles unless trip routes are obtained from the office of vehicle and motor carrier services and city and county jurisdictions or the route continues on at least four-lane roads. Trip routes are valid for five days.

511.9(3) Vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~511.12~~ 761—511.13(321,321E).

e. Distance. Trip routes must be obtained from the office of vehicle and motor carrier services and city and county jurisdictions.

511.9(4) No change.

511.9(5) Truck trailers manufactured or assembled in the state of Iowa provided the following are met:

a. to c. No change.

d. Weight. See rule ~~511.12~~ 761—511.13(321,321E).

e. to g. No change.

511.9(6) Vehicles with divisible loads of hay, straw ~~or~~ stover, or bagged livestock bedding provided the following are not exceeded:

a. No change.

b. Length. ~~Must comply with Iowa Code section 321.457~~ Statutory: 75 feet.

c. Height. ~~Statutory: 13 14 feet 6 inches.~~

d. Weight. See rule ~~511.12~~ 761—511.13(321,321E).

e. Distance. Movement is allowed for unlimited distance; routing through the office of vehicle and motor carrier services and city and county jurisdictions is not required.

511.9(7) No change.

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, ~~321E.1, 321E.2, 321E.3, 321E.8, 321E.10, 321E.28 and 321E.29~~ and ~~Iowa Code Supplement section 321E.8 as amended by 2002 Iowa Acts, Senate File 2192, section 36.~~

ITEM 14. Amend rule 761—511.10(321,321E) as follows:

761—511.10(321,321E) Multitrip permits. Multitrip permits are issued for indivisible vehicles or indivisible loads for travel when either the dimensions or the weight or both the dimensions and the weight exceed statutory limits. The permit shall be for unlimited trips along a specific routes route between points one point of origin and one point of destination. Additional routes will require a new permit. Multitrip permits are issued for the following:

511.10(1) Multitrip permits may be issued for vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. and b. No change.

c. Height. ~~Limited only to the height of underpasses, bridges, power lines, and other established height restrictions. The carrier shall be required to contact affected public utilities when the height of the vehicle with load exceeds 16 feet 0 inches. At the discretion of the permit issuing authority, a written verification may be required from the affected utility~~ 15 feet 5 inches.

d. and e. No change.

511.10(2) Multitrip permits may be issued for all movements allowed under the single-trip permit provisions of rule ~~511.11~~ 761—511.12(321,321E) provided the movement is within the size and weight limitations of subrule 511.10(1).

511.10(3) No change.

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, ~~321E.1, 321E.2, 321E.3 and 321E.9A and 321E.28.~~

ITEM 15. Renumber rules **761—511.11(321,321E)** to **761—511.16(321,321E)** as **761—511.12(321,321E)** to **761—511.17(321,321E)**.

ITEM 16. Adopt the following new rule 761—511.11(321E):

761—511.11(321E) Compacted rubbish vehicle permits. All compacted rubbish vehicle permits issued by the department shall be subject to the following:

511.11(1) Permits issued shall be in writing or in an electronic format, shall be carried in the vehicle for which the permit has been issued and shall be available for inspection by any peace officer or authorized agent of any permit-granting authority.

511.11(2) Movements by permit shall be allowed day and night, seven days a week including holidays.

511.11(3) Vehicles traveling under permit shall be registered for the gross weight or combined gross weight of the vehicle and load.

511.11(4) Vehicles under permit must be in compliance with posted bridge and road embargoes and speed limits.

511.11(5) Maximum axle weight allowed on the interstate system shall be 20,000 pounds on a single axle and 34,000 pounds on a tandem axle.

This rule is intended to implement Iowa Code section 321E.30.

ITEM 17. Amend renumbered rule 761—511.12(321,321E) as follows:

761—511.12(321,321E) Single-trip permits. Single-trip permits are issued for indivisible vehicles or indivisible loads for travel when either the dimensions or the weight or both the dimensions and the weight exceed statutory limits. The permit shall be for a specific route between an origin and destination. Single-trip permits are issued for the following:

~~**511.12(1)** Vehicles with indivisible loads, including construction machinery, mobile homes and factory-built structures, provided the following are not exceeded:~~

~~a. *Width.* 14 feet 0 inches.~~

~~b. *Length.* 80 feet 0 inches overall.~~

~~c. *Height.* Limited only to the height of underpasses, bridges, power lines, and other established height restrictions. The carrier shall be required to contact affected public utilities when the height of the vehicle with load exceeds 16 feet 0 inches. At the discretion of the permit-issuing authority, a written verification may be required from the affected utility.~~

~~d. *Weight.* See rule 511.12(321,321E).~~

~~e. *Distance.* Unlimited distance over specified routes.~~

~~**511.12(2)** Rescinded IAB 4/28/93, effective 6/2/93.~~

~~**511.12(3)** **511.12(1)** Vehicles with indivisible loads, including ~~construction machinery~~ special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:~~

~~a. *Width.* 40 feet 0 inches overall Limited to the maximum physical limitations and clearances of the roadway and infrastructure along the intended route of travel.~~

~~b. *Length.* 120 feet 0 inches overall Limited to the maximum physical limitations and clearances of the roadway along the intended route of travel.~~

~~c. No change.~~

~~d. *Weight.* See rule ~~511.12~~ 761—511.13(321,321E).~~

~~e. No change.~~

~~**511.12(2)** Reserved.~~

~~**511.12(4)** Vehicles especially designed for the movement of grain bins and vehicles with indivisible loads, including construction machinery, mobile homes and factory-built structures, provided the following are not exceeded:~~

- ~~a. Width. Must comply with Iowa Code section 321.454.~~
- ~~b. Length. 120 feet 0 inches overall.~~
- ~~c. Height. Statutory: 13 feet 6 inches.~~
- ~~d. Weight. See rule 511.12(321,321E).~~
- ~~e. Distance. Unlimited distance over specified routes.~~

~~511.12(5) Vehicles with divisible loads of hay, straw or stover provided the following are not exceeded:~~

- ~~a. Width. 12 feet 5 inches.~~
- ~~b. Length. Must comply with Iowa Code section 321.457.~~
- ~~c. Height. Statutory: 13 feet 6 inches.~~
- ~~d. Weight. See rule 511.12(321,321E).~~
- ~~e. Distance. Unlimited.~~

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, ~~321E.1, 321E.2, 321E.3, 321E.9, 321E.28 and 321E.29.~~

ITEM 18. Amend renumbered rule 761—511.13(321,321E) as follows:

761—511.13(321,321E) Maximum axle weights and maximum gross weights for vehicles and loads moved under permit.

511.13(1) Annual and all-systems permits.

a. For movement under an annual or all-systems permit, the axle weight and combined gross weight shall not exceed the limits found in Iowa Code section ~~321.463~~ 321.463(3).

b. See subrule ~~511.12(5)~~ 511.13(5) for exceptions for ~~construction machinery~~ special mobile equipment.

511.13(2) Annual oversize/overweight permits.

a. No change.

b. See subrule ~~511.12(5)~~ 511.13(5) for exceptions for ~~construction machinery~~ special mobile equipment.

511.13(3) Multitrip permits.

a. No change.

b. See subrule ~~511.12(5)~~ 511.13(5) for exceptions for ~~construction machinery~~ special mobile equipment.

511.13(4) Single-trip permits.

a. to c. No change.

d. See subrule ~~511.12(5)~~ 511.13(5) for exceptions for ~~construction machinery~~ special mobile equipment.

511.13(5) ~~Construction machinery~~ Special mobile equipment. ~~Construction machinery~~ Special mobile equipment may have a gross weight of 36,000 pounds on any single axle equipped with minimum size 26.5-inch by 25-inch flotation pneumatic tires and a maximum gross weight of 20,000 pounds on any single axle equipped with minimum size 18-inch by 25-inch flotation pneumatic tires, provided that the total gross weight of the vehicle or a combination of vehicles does not exceed a maximum of 80,000 pounds for movement under an annual or all-systems permit and 126,000 pounds for movement under a single-trip, multitrip or annual oversize/overweight permit.

For tire sizes and weights allowed between the maximum and minimum indicated, the following formula shall apply: Axle weight = 20,000 pounds + (tire width - 18) × 1,882 pounds.

This rule is intended to implement Iowa Code sections 321.463, 321E.7, 321E.8, 321E.9, 321E.9A and 321E.32 and ~~Iowa Code Supplement section 321E.8 as amended by 2002 Iowa Acts, Senate File 2492, section 36.~~

ITEM 19. Amend renumbered rule 761—511.14(321,321E) as follows:

761—511.14(321,321E) Movement of vehicles with divisible loads exceeding statutory size or weight limits.

511.14(1) No change.

511.14(2) At the discretion of the permit-issuing authority, the combined gross weight may exceed the statutory weight, but the axle weights shall be subject to rule ~~511.12~~ 761—511.13(321,321E).

511.14(3) No change.

511.14(4) This rule does not apply to divisible loads of hay, straw, ~~or~~ stover or bagged livestock bedding.

This rule is intended to implement Iowa Code sections 321.463 and 321E.29.

ITEM 20. Amend renumbered subrule 511.16(1) as follows:

511.16(1) Escort qualification. An escort shall be a person aged 18 or over who possesses a ~~Class A, B, C or D~~ valid driver's license which allows driving unaccompanied, ~~has a properly equipped vehicle,~~ and who carries proof of public liability insurance in the amounts of \$100,000/\$200,000/\$50,000.

ITEM 21. Amend renumbered subrule 511.16(2) as follows:

511.16(2) Escorting responsibilities.

a. The escorting vehicle shall be a mid-size automobile or motor truck with sufficient mobility to be able to assist in an emergency and designed to afford clear and unobstructed vision both front and rear. The escorting vehicle shall not be used to tow a trailer while performing escorting duties. In questionable cases the permit-issuing authority shall determine if a vehicle meets these conditions.

b. The escorting vehicle shall have ~~an amber revolving light at least 7 inches high and 7 inches in diameter with at least a 100-candlepower lamp providing a flashing or strobe amber light that is visible for at least 500 feet and provides 360° warning. A light of smaller dimensions shall not be permitted unless a strobe light is used.~~ While escorting a permit load, the revolving light shall be mounted on top of the escort vehicle and shall be burning. Additional escort vehicle markings may be approved or required by the permit-issuing authority.

c. to i. No change.

j. A pole used for measuring vertical clearances shall be mounted on the front escort vehicle. The escort shall be required to measure all vertical clearances whenever the height of the permitted vehicle exceeds 14 feet 4 6 inches up to and including 20 feet.

ITEM 22. Rescind renumbered subrule **511.16(3)**.

ITEM 23. Adopt the following **new** subrule 511.16(3):

511.16(3) Requirements for escorts, flags, signs and lights. The following chart explains the minimum escort and warning devices required for vehicles operating under permit.

Minimum Warning Devices and Escort Requirements
For Vehicles Operating Under Permit

	Flags/Signs	Lights	Escorts	
			4-Lane	2-Lane
Length				
75'1" up to and including 85'	yes	not required	not required	not required
Over 85' up to and including 120'	yes	yes	not required	not required
Over 120'	yes	not required	rear	rear
Projections				
Front: over 25'	not required	yes	not required	not required

Rear: over 4' up to and including 10'	flags only	not required	not required	not required
Rear: over 10'	flags only	yes	not required	not required
Height				
Over 14'6" up to and including 20'	yes	not required	front with a height pole	front with a height pole
Weight				
Over 80,000 lbs.	not required	yes	not required	not required
Width				
Over 8'6" up to 12'0"	yes	not required	not required	not required
Over 12'0" up to and including 14'6"	yes	not required	rear *	front *
Over 14'6" up to and including 16'6"	yes	not required	rear *	front
Over 16'6" up to and including 18'	yes	not required	rear	front

*In lieu of an escort, a carrier can display an amber light or strobe light on the power unit and on the rear extremity of the vehicle or load.

yes = required

Definitions:

Flags - Red or orange fluorescent flags at least 18" square must be mounted as follows: one flag at each front corner of the towing unit and one flag at each rear corner of the load. In addition, there must be a flag at any additional protrusion in the width of the load.

Signs - A sign reading "Oversize Load" must be used. The sign must be at least 18" high by 7' long with a minimum of 10" black letters, with a 1½" stroke, on a yellow background, and mounted on the front bumper and on the rear of the load. The rear sign for mobile homes and factory-built structures must be mounted at least 7' above the highway surface, measuring from the bottom of the sign.

Lights - A flashing or strobe amber light that is visible for at least 500 feet and provides 360° warning must be mounted on the towing unit and be visible from front and rear. More than one light may be necessary.

The permit-issuing authority may require additional escorts when deemed necessary. The signs or warning devices must be removed or covered when the vehicle is within legal dimensions.

This rule is intended to implement Iowa Code sections 321E.14, 321E.24 and 321E.34.

ITEM 24. Amend renumbered rule 761—511.17(321,321E) as follows:

761—511.17(321,321E) Permit violations.

511.17(1) Permit violations are to be reported to the permit-issuing authority by the arresting officer and the permit holder. If a permit holder is found to have willfully violated permit provisions, the office of vehicle and motor carrier services may, after notice and hearing, suspend, modify or revoke the permit privileges of the permit holder consistent with Iowa Code section 321E.20.

~~**511.17(2)** Rescinded IAB 1/15/97, effective 4/30/97.~~

~~**511.17(3)** Rescinded IAB 1/15/97, effective 4/30/97.~~

~~**511.17(4)** Rescinded IAB 10/12/05, effective 11/16/05.~~

This rule is intended to implement Iowa Code sections 321.492, 321E.16 and 321E.20.

ITEM 25. Adopt the following new rule 761—511.18(321):

761—511.18(321) Movement of combination vehicles on economic export corridors.

511.18(1) *Designation of economic export corridors.*

a. The department may in its discretion establish economic export corridors for the transportation of goods or products manufactured in Iowa to or through the state of South Dakota and for the return of unladen semitrailers or unladen full trailers used for the transportation of those goods or products. An economic export corridor shall not include any segment of the interstate system or any part of the national network of highways identified pursuant to 23 CFR Part 658. However, if appropriate, the department may petition the Federal Highway Administration to remove a road or road segment from the national network of highways for the purpose of including it in an economic export corridor.

b. The department may initiate designation of economic export corridors, or a request for economic export corridor designation may be submitted to the department by an interested party. If a proposed economic export corridor includes any roads or road segments that are under the jurisdiction of a city or a county, a resolution from all relevant local jurisdictions must be submitted to the department indicating their support for economic export corridor designation. The resolution must include a description of the proposed economic export corridor under local jurisdiction.

c. The department shall exercise due regard for the safety of the traveling public and the protection of the highway surfaces and structures when establishing an economic export corridor. Factors to be considered include ability of the proposed economic export corridor to safely accommodate combinations of vehicles described in subrule 511.18(2), taking into account physical configurations and restrictions and traffic demands and capacity, as well as connection to markets that will benefit from the established economic export corridor.

d. The department will post established economic export corridors on the department's Web site.

511.18(2) *Combination vehicles that may be operated on an economic export corridor.*

a. In addition to combinations of vehicles lawful for operation on roads or road segments not designated as an economic export corridor, the following combinations of vehicles may be operated on an economic export corridor designated under subrule 511.18(1) if the combinations of vehicles meet the requirements in paragraph 511.18(2) "b":

(1) A truck tractor-semi-trailer-semi-trailer converted to a full trailer by use of a dolly equipped with a fifth wheel which is considered a part of the trailer for all purposes, and not a separate unit; or

(2) A truck tractor-semi-trailer-full trailer; or

(3) A truck tractor-semi-trailer-semi-trailer combination, where the semi-trailers are connected by a rigid frame extension including a fifth wheel connection point attached to the rear frame of the first semi-trailer.

b. The combination of vehicles shall meet all of the following requirements:

(1) The length of the combination of vehicles, excluding the length of the truck tractor, shall not exceed 81½ feet.

(2) The length of either semi-trailer or full trailer shall not exceed 45 feet.

(3) The weight of the second semi-trailer or full trailer shall not exceed the weight of the first semi-trailer by more than 3,000 pounds.

(4) The gross weight of the combination of vehicles shall not exceed 80,000 pounds and the combination of vehicles shall not exceed the gross axle weight limits of Iowa Code section 321.463(2).

(5) The load on each semi-trailer or full trailer in the combination shall be an indivisible load. For the purpose of issuing permits for height or width under Iowa Code chapter 321E, the combination of vehicles shall be considered an indivisible load so long as the load on each semi-trailer or full trailer in the combination remains an indivisible load.

c. The length of the frame extension shall not be included when determining the overall length of the first semi-trailer in a truck tractor-semi-trailer-semi-trailer combination in which the semi-trailers are connected by a rigid frame extension including a fifth wheel connection point attached to the rear frame of the first semi-trailer.

d. For purposes of this subrule, "full trailer" means as defined in 49 CFR Section 390.5.

This rule is intended to implement Iowa Code section 321.457(2) "n."

ITEM 26. Rescind and reserve **761—Chapter 513.**